

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

LISA M. HOLSTINE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-14-194-SPS
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

OPINION AND ORDER


The claimant Lisa M. Hostine requested judicial review of a denial of benefits by the Commissioner of the Social Security Administration pursuant to 42 U.S.C. § 405(g). She appeals the Commissioner’s decision and asserts that the Administrative Law Judge (“ALJ”) erred in determining she was not disabled. This matter comes before the Court on Motion by Defendant Carolyn Colvin, Acting Commissioner of the Social Security Administration, to Dismiss for improper venue, or in the alternative, to transfer venue, pursuant to Fed. R. Civ. P. 12(b)(3).

The government argues in the Defendant’s Motion to Dismiss [Docket No. 12], that the case should be dismissed because the Plaintiff resides in the state of Washington and therefore the Eastern District of Oklahoma is an improper venue. Alternatively, the government request the case be transferred to the appropriate district in the state of Washington. Although the Plaintiff originally intended to return to Oklahoma, she has not done so and now agrees that venue is improper in the Eastern District of Oklahoma.

She therefore requests that the Court transfer this case to the Western District of Washington, rather than dismiss the case for improper venue. The court finds that transfer to the Western District of Washington is appropriate under the circumstances.

Accordingly, IT IS ORDERED that the Defendant's Motion to Dismiss [Docket No. 12] is DENIED IN PART as to dismissal and GRANTED in part, and this matter is to be TRANSFERRED to the United States District Court for the Western District of Washington, as the plaintiff resides in Olympia, Washington.

DATED this 15th day of October, 2014.



Steven P. Shreder
United States Magistrate Judge
Eastern District of Oklahoma